

**SUMTER COUNTY ZONING AND ADJUSTMENT BOARD**  
**January 4, 2010**

**BOARD OF SUMTER COUNTY COMMISSIONERS**  
**January 12, 2010**

<b>CASE NO.</b>	R2009-0027
<b>APPLICANT:</b>	Lisa Pannell & James Lopez
<b>REPRESENTATIVE:</b>	N/A
<b>REQUESTED ACTION:</b>	Rezone 1.98 acres MOL from RR to CL (Light Commercial).
<b>EXISTING ZONING:</b>	RR
<b>FUTURE LAND USE:</b>	Commercial (Pending SS2009-0007)
<b>EXISTING USE:</b>	Residence
<b>PARCEL SIZE:</b>	1.98 acres MOL
<b>GENERAL LOCATION:</b>	Oxford/Wildwood
<b><u>SURROUNDING LAND USE:</u></b>	<b><u>SURROUNDING ZONING:</u></b>
<b>NORTH:</b> Rural Residential	<b>NORTH:</b> RR
<b>SOUTH:</b> Rural Residential	<b>SOUTH:</b> C2 & RR
<b>EAST:</b> City of Wildwood (Industrial)	<b>EAST:</b> City of Wildwood (Industrial)
<b>WEST:</b> Rural Residential	<b>WEST:</b> A5
<b>COMMISSIONER'S DISTRICT:</b>	Don Burgess

**CASE SUMMARY:**

This rezoning is to change the zoning of the subject property from RR to CL (Light Commercial). The application consists of one parcel encompassing approximately 1.98 acres within the Oxford/Wildwood area of unincorporated Sumter County. The subject property is located on the west side of US 301 approximately 1/10 mile north of CR 124.

**CASE ANALYSIS:**

The properties to the north, south, and west of the subject property have zonings of RR and A5. However, the parcel immediately to the south, along US 301, has a vested commercial zoning (C2) and use. To the south of the vested commercial zoning, the City of Wildwood has property with a commercial zoning classification. The properties to the east of the subject property have an industrial zoning within the City of Wildwood. Given the proximity of commercial and industrial land uses to the subject property, the change of

the subject property to CL (Light Commercial) is consistent with the current and anticipated land use pattern of the area.

The subject property is located within the joint planning area with the City of Wildwood. The proposed CL (Light Commercial) zoning of the subject property is consistent with the conceptual land use pattern approved through the adoption of the Interlocal Service Boundary Agreement with the City of Wildwood.

**DIVISION OF PLANNING & DEVELOPMENT STAFF CONCLUSIONS:**

Staff deems the application sufficient and in compliance with the minimum requirements of the Sumter County Land Development Code and Comprehensive Plan and recommends approval.

**Notices Sent: 5      (In objection)   0      (In favor)   0**

**Zoning & Adjustment Board Recommendation:** \_\_\_\_\_



# SUMTER COUNTY ZONING AND ADJUSTMENT BOARD

910 N. Main Street, Suite 301, Bushnell, FL 33513  
Tel. (352) 793-0270 Fax (352) 793-0274

Project No: **R2009-0027**

Application: 12/2/2009 SG

Parent Project: **SS2009-0007**

## REZONING

<b>PROJECT TYPE</b> REZONING		<b>PROJECT SUBTYPE</b> Commercial		<b>PROJECT DESCRIPTION</b> REZONING ON 1.98 ACRES MOL FROM RR TO CL	
<b>OWNER</b> PANNELL / LOPEZ, LISA CAYE / JAMES B			<b>ADDRESS</b> 9404 N US HIGHWAY 301, WILDWOOD, FL 34785		<b>PHONE</b> 352-748-5512
<b>PARCEL #</b> D30=019	<b>SEC/TWP/RNG</b> 301823	<b>GENERAL</b> Oxford		<b>DIRECTIONS TO PROPERTY</b> N ON US 301. THE PROPERTY IS LOCATED APPROX 1/10 MILE N OF CR 124 ON THE W SIDE OF THE ROAD.	
<b>Property Address</b> 9404 N US 301, Wildwood, FL 34785					
<b>PARCEL SIZE</b> 1.98 ACRES MOL		<b>F.L.U.</b> RUR		<b>LEGAL DESCRIPTION</b> BEG 50 FT W & 420 FT S OF NE COR OF SE1/4 FOR POB RUN W 420 FT S 210 FT E 420 FT N 210 FT TO BEG LESS HWY 301 R/W	
<b>PRESENT ZONING</b> RR		<b>PRESENT USE</b> RESIDENCE			
<b>REQUESTED REZONING</b> REZONE 1.98 ACRES MOL FROM RR TO CL TO BRING INTO COMPLIANCE WITH THE FLUM		<b>REZONED ACREAGE</b> 1.98 ACRES MOL		<b>REZONED LEGAL DESCRIPTION</b> SAME AS ABOVE	
<b>ABUTTING PROPERTY</b> ZONING/USE F.L.U.	<b>NORTH</b> RR - RESIDENCE RURAL RESIDENTIAL	<b>EAST</b> CITY OF WILDWOOD CITY OF WILDWOOD	<b>SOUTH</b> RR & C2 - VACANT & MOBI RURAL RESIDENTIAL	<b>WEST</b> A5 - RESIDENCE & VACANT RURAL RESIDENTIAL	
<p>As owner/agent, I agree to post the hearing plaques within 24 hours on the property's road frontage at the corners and at 300' intervals between. I understand any action on my application will be governed by Sumter County's Comprehensive Plan and Development Code, and my payment of the non-refundable application fee will not influence the decision made on this application.</p>					
<p><b>UNDER PENALTIES OF PERJURY, I DECLARE THE ABOVE INFORMATION THAT I HAVE GIVEN TO BE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF.</b></p>					
 _____ Signature(s)				 _____ Date December 2, 2009	
<p>A Public Hearing before the Zoning and Adjustment Board will be held on the date indicated below in the Sumter County Courthouse, Bushnell, FL. This application will be heard at the time indicated below. Your appearance or representation at this hearing is required, and lack of same will cause your application to be disposed of according to the policy adopted by the Board of County Commissioners. The recommendation of the Zoning and Adjustment Board on this request will be presented to the Board of County Commissioners at a Public Hearing to be held at the date/time indicated below in the Sumter County Courthouse, Bushnell, FL, room number indicated below.</p>					
<b>Zoning and Adjustment Board</b>		1/4/2010 6:30 PM		Room: <del>142</del> <u>Colony Cottage</u> Action: _____	
<b>County Commission Meeting</b>		1/12/2010 5:30 PM		Room: 142 Action: _____	
<b>NOTICES SENT</b> 5		<b>RECEIVED IN FAVOR</b>		<b>RECEIVED OBJECTING</b>	
<p>Please Note: In preparation of the application, county zoning staff will visit the site to take photographs. This will be done in county-marked vehicles. Generally, staff will take photographs from the roadway or easement, and will not come on site unless access requires it.</p>					

**BOARD OF SUMTER COUNTY COMMISSIONERS  
PLANNING & DEVELOPMENT**

ACKNOWLEDGMENT AND ACCEPTANCE OF HAZARDS OF PROPERTY WITHIN THE 100 YEAR FLOOD ZONE

Sumter County requires flood protection measures in areas determined by scientific and engineering considerations to be within the 100 year floodplain. The degree of flood protection required and the methods used to determine the 100 year floodplain is considered reasonable for regulatory purposes. Larger floods and floods in areas not previously identified can occur on rare occasions. Flooding situations may also be increased by man-made or natural causes. Consequently compliance with the regulations imposed by Sumter County for uses within the 100 year floodplain do not imply that such uses will be entirely free from flooding or flood damage or that areas outside the identified floodplain and floodway overlay zones will not be flooded on occasion. Therefore these regulations shall not create liability on the part of Sumter County or any officer or employee thereof for any flood damages that result from reliance on these regulations or any administrative decision lawfully made hence forth.

I (we), LISA CAYE / JAMES B. PANNELL / LOPEZ, being owners of a parcel described as:  
Parcel Number: D30=019 Section Township Range: 301823  
Legal Description: BEG 50 FT W & 420 FT S OF NE COR OF SE1/4 FOR POB RUN W 420 FT S 210 FT E 420 FT N 210 FT TO BEG LESS HWY 301 R/W

do hereby acknowledge that Sumter County has informed me that the above described parcel is fully or partially within the 100 year flood plain area (Zone A) as delineated on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Maps for Sumter County, Florida having an effective date of March 15, 1982. Panel # 120296 0075B. I (we) understand and acknowledge the consequences of building structures on this type of property, including but not limited to:

- a) If within flood zone A, the finished floor area must be at least one foot above the base (100 year) flood elevation at the site. This will require certification by a registered land surveyor. Nevertheless, the possibility of higher waters exists as described in the first paragraph of this document.
- b) Cumulative changes made to nearby properties since the FEMA map was published can increase flooding on the subject property.
- c) Flooding of the access road to the property may occur. This includes not only private roads, but those within the County maintained system as well.
- d) The driveway to the home itself may be subject to flooding, thereby eliminating or making access to the home difficult.
- e) The potential lack of access to the home can hinder emergency vehicles in reaching the property.
- f) Damage or malfunctioning of a septic tank can occur if flood water stands on site for a period of time.
- g) Contamination of the potable water supply can occur if flood water stands on site for a period of time.

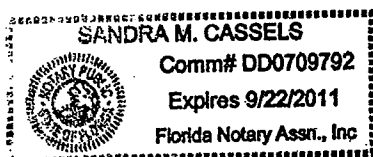
I (we) understand and accept the consequences of establishing a structure within the 100 year flood plain.

Lisa Pannell

SIGNATURE OF AFFIANT(S)

James B. Lopez

COUNTY OF Sumter STATE OF Florida THE FOREGOING WAS ACKNOWLEDGED  
BEFORE ME THIS 2nd DAY OF December, 2009 WHO IS PERSONALLY KNOWN  
TO ME ☐ OR HAS PRODUCED AS IDENTIFICATION Florida Drivers License



Sandra M. Cassels

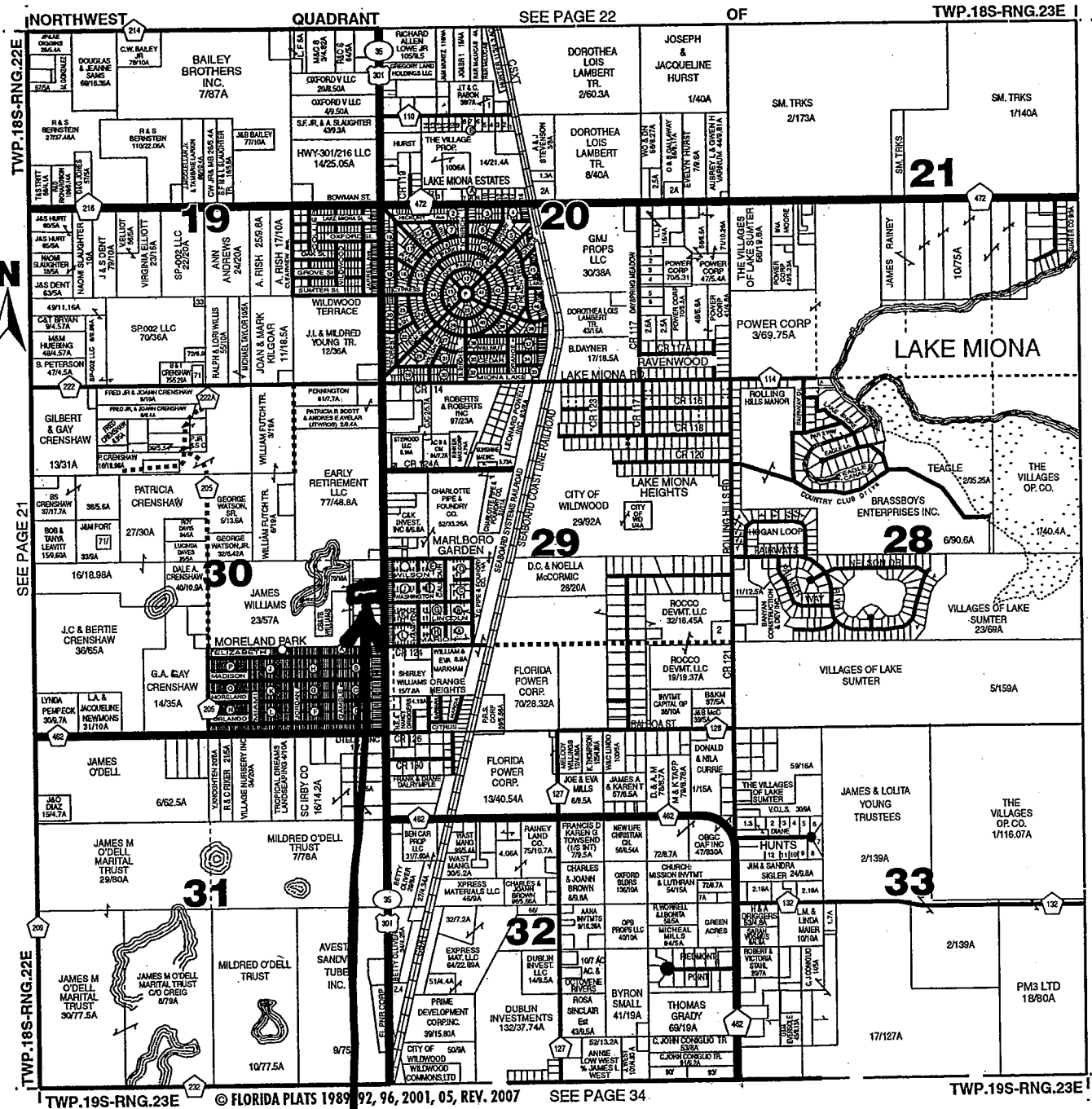
SUMTER COUNTY, FLORIDA  
GLORIA HAYWARD, CLERK OF CIRCUIT COURT  
12/02/2009 12:06:28PM  
AGREEMENT

2009 32878  
PAGE 1 OF 1  
B-2139 P-170

# TWP.18S-RNG.23E

SOUTHWEST QUADRANT  
SUMTER COUNTY, FLORIDA

SCALE OF MILES 1/2  
660 1320 1980 2640 SCALE OF FEET 5280



SS2009-0007 & R2009-0027  
Pannell, Lisa Caye & Lopez, James B.  
Sec. 30, Twp. 18S, Rng. 23E

D30=023

D30=017

D30=018

# SUMTER

D30=019

D30=028

D30=026

D30=020

D30=021

~~SECRET~~

SS2009-0007 *PR*2009-0027  
Pannell, Lisa Caye & Lopez, James B.  
Sec. 30, Twp. 18S, Rng. 23E

**Wildwood**

D29A017			
D29A017	D29A017	D29A017	
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D29A022			